sec news digest

TENER ET

ssue 92-233

U.S. SECURITIES EXCHARIGE COMMISSION

December 3, 1992

COMMISSION ANNOUNCEMENTS

EC GENERAL COUNSEL ANNOUNCES DEPARTURE FOR PRIVATE PRACTICE

It was announced today that James R. Doty, General Counsel of the Securities and Exchange Commission, will be leaving the Commission in mid-December to return to private law practice.

In making the announcement, Chairman Breeden said, "Jim has brought to bear a superb level of intelligence, diligence and creativity to his work as our chief legal officer. His personal and professional contributions to the work of the agency have been immeasurable. We will miss him enormously." (Press Rel. 92-44)

ADMINISTRATIVE PROCEEDINGS

\DMINISTRATIVE PROCEEDINGS AGAINST BARRY KAPLAN

The Commission announced the institution of administrative proceedings pursuant to Rule 2(e) of the Commission's Rules of Practice against Barry J. Kaplan (Kaplan), an attorney, based upon improper professional conduct. The Commission accepted Kaplan's offer of settlement in which he was denied the privilege of appearing or practicing before the Commission for a period of four years. (Rel. 34-31527)

IN THE MATTER OF JOHN GUTFREUND, THOMAS STRAUSS AND JOHN MERIWETHER

The Commission today announced the institution and the settlement of public administrative proceedings against John H. Gutfreund, Thomas W. Strauss and John W. Meriwether pursuant to Section 15(b) of the Securities Exchange Act of 1934 (Exchange Act). The proceedings relate to the failure of the three former senior executives of Salomon Brothers Inc (Salomon) to supervise Paul W. Mozer, a former managing director of Salomon, with a view to preventing violations of the federal securities laws by Mozer in connection with the submission of false bids in auctions of U.S. Treasury securities. The Commission, in conjunction with institution of these administrative proceedings, also issued a report of investigation concerning the supervisory responsibilities of brokerage firm employees in certain circumstances relevant to this matter. (Rel. 34-31554)

CIVIL PROCEEDINGS

COMPLAINT FILED AGAINST WILLIAM DEGARMO

On December 1, the Commission announced the filing of a civil action in Denver against William C. DeGarmo (DeGarmo), a resident of San Jose, California, alleging that in December 1991 he traded in the securities of Cray Computer Corporation (Cray Computer) of Colorado Springs, Colorado while in possession of material non-public information relating to his employer's cancellation of a \$30 million supercomputer purchase contract with Cray Computer. Simultaneously with the filing of the complaint, without admitting or denying the allegations, DeGarmo consented to the entry of a Final Judgment permanently enjoining him from violating Sections 17(a)(1), (2) and (3) of the Securities Act of 1933, Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder. DeGarmo further agreed to pay \$54,332, consisting of disgorgement of \$27,332 and payment of \$27,000 pursuant to Section 21A of the Exchange Act [15 U.S.C § 78u-1]. [SEC v. William C. DeGarmo, Civil Action No. 92-2347] (LR-13452)

COMPLAINT AGAINST PAUL MOZER AND THOMAS MURPHY

The Commission today announced the filing of a complaint against Paul W. Mozer and Thomas F. Murphy, both former managing directors of Salomon Brothers Inc (Salomon). The complaint alleges violations, and aiding and abetting of violations, of the antifraud provisions and the recordkeeping provisions of the Securities Exchange Act of 1934. The complaint alleges that the violations arose in connection with the submission of false bids in auctions for U.S. Treasury securities; certain transactions, designed to create the appearance of false losses for income tax purposes, in U.S. Treasury securities; and sales by Mozer of the stock of Salomon Inc, Salomon's publicly-held parent company.

The Commission seeks an order enjoining Mozer and Murphy from further violations of the antifraud and recordkeeping provisions of the Securities Exchange Act of 1934 and imposition of civil penalties against Mozer and Murphy pursuant to the Securities Enforcement Remedies and Penny Stock Reform Act of 1990. The Commission also seeks payment of disgorgement and civil penalties by Mozer under the Insider Trading Sanctions Act of 1984 in connection with his sales of Salomon Inc stock and an order prohibiting Mozer from serving as an officer or director of any publicly-held company [SEC v. Paul W. Mozer and Thomas F. Murphy, USDC, SDNY, 92 Civ. No. 8694, RPP] (LR-13453)

INVESTMENT COMPANY ACT RELEASES

TYLER CAROT MORTGAGE SECURITIES FUND, INC., ET AL.

An order has been issued under Section 17(b) of the Investment Company Act exempting Tyler Cabot Mortgage Securities Fund, Inc. (Tyler Cabot), et al. from Section 17(a) of the Act to permit Tyler Cabot to merge with and into Capstead Mortgage Corporation (Rel IC-19134 - December 1)

HOLDING COMPANY ACT RELEASES

MISSISSIPPI POWER COMPANY

A supplemental order has been issued authorizing Mississippi Power Company (Mississippi), a wholly owned electric public-utility subsidiary company of The Southern Company, a registered holding company, to issue and sell first mortgage bonds in connection with the issuance and sale of one or more series of pollution control revenue bonds in an aggregate principal amount of up to 23.3 million. (Rel. 35-25690)

SELF-REGULATORY ORGANIZATIONS

WITHDRAWAL SOUGHT

A notice has been issued giving interested persons until December 21 to comment on the application of Raven Industries, Inc. to withdraw its Common Stock, \$1.00 Par Value, from listing and registration on the <u>American Stock Exchange</u>. (Rel. 34-31543)

SELF-REGULATORY ORGANIZATIONS

PROPOSED RULE CHANGE

<u>The Options Clearing Corporation</u> filed a proposed rule change (SR-OCC-92-32) to permit OCC to accept certain currencies and sovereign debt as margin deposits. Publication of the proposal is expected in the <u>Federal Register</u> during the week of December 7. (Rel. 34-31536; International Series Rel. 500)

ACQUISITION OF SECURITIES

Companies and individuals must report to the Commission within ten days on Schedule 13D if after the acquisition of equity securities of a public company their beneficial interest therein exceeds five percent. Persons eligible to use the short form (Schedule 13G) may in lieu of filing a Schedule 13D file a Schedule 13G within 45 days after the end of the calendar year in which the person became subject to Section 13(d)(1). Companies and individuals making a tender offer must have on file at the time the tender offer commences a Schedule 14D-1.

NAME AND CLASS OF STOCK/OWNER	*	FORM	EVENT DATE	SHRS(000)/	-	
AUTOTOTE CORP LEE THOMAS H	CL A	13D	11/20/92	1,374 26.3) UPDATE
B & H BULK CARRIERS LTD HUDNER MICHAEL S ET AL	СОМ	13D	11/12/92	2,620 66.1) UPDATE
BVR TECHNOLOGIES LTD PSAGOT LEUMI IGUD LTD	ORD	13D	9/16/92	366 7.7		NEW
CARLYLE REAL ESTATE L P X LIQUIDITY FUNDS ET AL	СОМ	13D	9/30/92		14283094 5.0	UPDATE
CHUBB CORP SUN ALLIANCE GRP PLC ET A	COM L	13D	11/ 5/92	4,492 5.2	17123210 0.0	NEW
DOTRONIX INC COMMUNICATIONS SYS INC	COM	13D	11/17/92	188 4.9		UPDATE
FIRST LIBERTY FINL CORP PHELPS STANFORD N ET AL	СОМ	13D	11/23/92	124 4.2		UPDATE
GENERAL HOST CORP GAMCO INVESTORS INC ET AL	СОМ	13D	11/30/92	1,192 6.6	-	UPDATE
HOWTEK INC NEWS CORP ET AL	COM	13D	11/13/92	1,603 20.8	44320910 23.9	UPDATE
IMAGINE FILMS ENTMT INC GRAZER BRIAN	COM	13D	11/30/92	1,547 29.5	45291110 29.5	
IMAGINE FILMS ENTMT INC HOWARD RUN	СОМ	13D	11/30/92	1,546 29.5	45291110 29.5	UPDATE
JEFFERSON BANCORP INC VERNON EMILY	COM	13D	10/23/92	273 8.1	47236810 6.1	
INTEGON CORP DEL HEAD JOHN C III ET AL	COM	13D	11/18/92	9,029 52.4	47999710 52.4	
LAKESIDE BANCSHARES INC CHAVANNE MARY E ET AL	СОМ	13D	11/15/92	234 46.8	51210810 46.8	

できるいけいできる シャン・トー